

GRADING ORDINANCE AUGUSTA, GEORGIA

Development Document #10
Augusta-Richmond County Planning Commission
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GRADING ORDINANCE FOR AUGUSTA, GEORGIA

Section 1 PURPOSE.

Soil erosion and sediment deposition onto lands and into waters in Augusta, GA are occurring as a result of land clearing, excavation, filling, grading, and construction activities. Such erosion and sediment deposition results in pollution of Augusta, GA waters and damage to domestic, agricultural, recreational, fish and wildlife, and other resource uses.

This Ordinance provides rules and regulations for excavation, filling, and grading activities within Augusta, GA and provides for administration and enforcement of said rules and regulations. It is codified as 7-3-6 of the Augusta-Richmond County Consolidated Code.

Section 2 DEFINITIONS.

Unless the context otherwise requires, the following terms, as used in this Ordinance, are defined as follows:

- (a) Excavation – mechanical removal of earth material.
- (b) Fill – the deposit of earth material placed by artificial means.
- (c) Grading – any excavation or filling or combination thereof.

Section 3 EXEMPTIONS.

No excavation, filling, or grading shall be conducted within Augusta, GA, except for those activities as provided below, without first securing a permit as required by this Ordinance. The following activities are exempted from the provisions of this Ordinance.

- (a) Minimum land disturbing activities such as house gardens, and individual home landscaping, repairs, maintenance work and other related activities;
- (b) Agricultural practices involving the establishment, cultivation, or harvesting of products of the field or orchard, preparing and planting of pasture land, forestry land management practices including harvesting (where stumps are not removed), farm ponds, dairy operations, livestock and poultry management practices, and the construction of farm buildings;
- (c) Projects carried out under the technical supervision of the Soil Conservation Service of the U.S. Department of Agriculture;

- (d) Excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure;
- (e) Cemetery graves;
- (f) Approved refuse disposal sites controlled by other regulations;
- (g) Excavations for wells or tunnels or utilities;
- (h) Approved mining, quarrying, excavation, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stress in or pressure upon any adjacent or contiguous property;
- (i) Exploratory excavations under the direction of soil engineers or engineering geologists.

Section 4 PERMIT PROCEDURES.

Except as exempted in Section 3 , no person shall do any excavation, filling, or grading without first obtaining a grading permit from the Augusta-Richmond County Planning Commission. A separate permit shall be required for each site.

Where a new single family residential building is to be immediately constructed or where a manufactured home is to be placed on a parcel, an individual plot plan pursuant to the Soil Erosion and Sediment Control Ordinance 7-3-35 (b) (1) shall be provided and reviewed by the License and Inspections Department before a building permit is issued for a single family residential building or before a certificate of occupancy is issued for a manufactured home.

To obtain a permit for a residential lot in an approved subdivision where grading is to be conducted but a home is not to be immediately constructed, the applicant shall phone or visit the Augusta-Richmond County Planning Commission to obtain a permit number. Information required for each residential grading site shall be:

- (a) Lot number, block number, subdivision name, tax parcel number (if available) and street address or similar description that will readily identify and locate the proposed grading activity;
- (b) Lot owner;
- (c) Contractor performing the grading activity;
- (d) Name, address and phone number of person making the application;
- (e) Estimated start and completion dates.

In all other areas, to obtain a permit for grading activities where no new building construction (residential or commercial) is immediately imminent, the applicant shall submit a Grading Plan per the requirements of Chapter Section 5 of this Ordinance.

A Site Plan will also be required for commercial development not specifically exempted in Section 3. The Augusta-Richmond County Planning Commission staff shall review each application for a Site Plan under this Ordinance, and determine whether said application is in conflict with other Ordinances of the Augusta-Richmond County Code of Ordinances, such as those relative to Zoning, Subdivision of Land, Soil Erosion and Floodplain Management. Unless exempted elsewhere in this Ordinance, a Grading Plan will be required.

Note: Site activity involving land disturbance greater than 1.1 acre shall also be required to submit a Soil Erosion Sediment Control Plan per the provisions of Chapter 7-3 of the Augusta-Richmond County Code of

Ordinances.

A Site Plan/Grading Plan/Soil Erosion Plan will be reviewed by the appropriate reviewing agencies for compliance with Augusta-Richmond County Code and a grading permit will be issued upon approval from said reviewing agencies.

Section 5 GRADING PLAN REQUIREMENTS

Grading Plans shall be drawn to scale no smaller than one inch equals 100 feet. Where large sites are being planned, they may be drawn on one or more sheets. No drawing shall exceed 36 inches by 48 inches in size.

The following information shall be included on each Grading Plan:

(a) Name of development

1. Owner (name, address, and telephone number).
2. Developer (name, address and telephone number).
3. Date plan drawn, and revision dates as applicable.
4. Seal and signature of a registered engineer.
5. North arrow with reference.
6. Scale (no less than 1" = 100')
7. Tax parcel number
8. Zoning classification
9. Use and zoning of all adjacent parcels with owner(s) name(s)
10. Existing and proposed elevations referenced to mean sea level, with a contour interval of 2 feet, accurate to one-half contour to indicate surface drainage patterns.
11. Source of datum (benchmark used: GS benchmark, if available), and location of BM or TBM at the site.
12. Existing pavement width and right-of-way width of any existing streets adjacent to the development and distances to nearest intersection.
13. Acreage of property to be developed.
14. Location sketch (scale no less than 1" = 2000').
15. Heavy outline of 100 year flood plain and note thereof. Any disturbances within flood plain limits must comply with the City Flood Ordinance. If the property is not in a 100 year flood plain then write a note stating that.

Section 6 PLACARD.

No placard is required for residential lots in an approved subdivision; however a permit number is required per the phone-in procedures listed elsewhere in this Ordinance.

When a Site Plan application is approved pursuant to this Ordinance, a placard shall be presented to the applicant illustrating the permit number, name of the applicant and the location and description of the permitted activity. Such placard shall be provided free of charge and shall be placed on the site in a conspicuous place visible from nearby streets or roads before work commences.

Section 7 INSPECTION AND REVOCATION.

The County Engineer shall be responsible for inspecting or requiring inspection of work being performed under the requirements of this Ordinance. Permits issued under the provisions of this Ordinance may be suspended, revoked or modified upon a finding that the activity of the holder is not consistent with information provided in his permit application.

Section 8 ENFORCEMENT.

It shall be the duty of the County Engineer to enforce the provisions of this Ordinance within Augusta, GA. This enforcement shall be in the manner and form with the powers provided in the Laws of the State and in the Augusta-Richmond County Code of Ordinances. Violations of the provisions of this Ordinance shall be called to the attention of the County Attorney, who shall immediately institute injunctions, abatement, or any other appropriate action to prevent, enjoin, abate, or remove such violations. Any property owner who may be damaged by any violation of this Ordinance may also institute such action. Any person or corporation, whether as principal, agent, employee, or otherwise, who violates any provision of this Ordinance shall be guilty of an offense and upon conviction in the Magistrate Court shall be punished by a fine in an amount not to exceed five hundred dollars (\$500.00) and/or imprisonment in the Augusta-Richmond County Jail for a period not in excess of sixty (60) days.

Section 9 LICENSE REQUIRED.

Contractors or builders conducting excavation, grading, and filling projects in Augusta, GA that are not exempted under the provisions of this Ordinance shall comply with Section 5-1666 of the Augusta-Richmond County Code of Ordinances.

Section 10 CONFLICT WITH OTHER LAWS.

No provision of this Ordinance shall authorize any person to violate, or to pollute any waters of the State of Georgia as defined by any provisions of the "Water Quality Control Act" (Georgia Laws, 1964, p. 416), as now or hereafter amended, or the rules and regulations promulgated and approved thereunder nor shall this Ordinance release any person from legal obligations embodied in any other Federal, State or Local laws or ordinances.

Section 11 APPEAL PROCEDURE.

Any person aggrieved by a decision or order of the issuing authority to the requirements of this Ordinance shall first present the grievance to the issuing authority for a hearing within thirty days (30) of the decision or order and lacking a satisfactory settlement shall then have the right to appeal de novo to the Superior Court of Augusta, GA. Appeals to Superior Court must be filed within thirty (30) days of the date of the decision of the issuing authority; and upon failure to file said appeal within thirty (30) days, the decision of the issuing authority shall be final.

Section 12 EFFECTIVE DATE.

This Ordinance shall be effective on _____ at 12:00 midnight.

Section 13 SEVERABILITY.

Any clause or provision of this Ordinance declared invalid shall not affect the validity of the Ordinance as a whole or any part thereof.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Done in Open Meeting under the Common Seal thereof this _____ day of _____, 1999.

Approved this _____ day of _____, 1999.

Mayor

Attest:

Clerk of Commission

1st Reading:

2nd Reading:

LAST UPDATED: NOVEBER 5, 1999